

July 29, 2019

Via ECF

Hon. Roanne L. Mann
Chief Magistrate Judge
United States District Court
For the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Joint Status Update; *Suffolk County Water Authority v. The Dow Chemical Company et al.*, No. 2:17-cv-6980-NG-RLM, and All Related Cases

Dear Judge Mann:

Pursuant to the Parties' July 15, 2019 Joint Status Report, the Parties submit this supplement to update Your Honor regarding their meet-and-confer efforts and the status of each discovery topic, identified below.

I. Discovery

a. Fact Sheets

The Parties have made good progress in attempting to agree upon the language and scope of proposed fact sheets that would be used in lieu of Rule 26 initial disclosures. The Parties have exchanged several versions of the fact sheets and have conducted telephonic conferences regarding their positions. The Parties are committed to continuing their discussions concerning the fact sheets as a basis for efficient disclosures without Court intervention, and they will supplement this report on or before August 12, 2019. If they have not reached agreement regarding the final fact sheets by August 12, it is the Parties' intent that their submission will outline the remaining disputes for the Court's determination. The Parties are also conferring on a schedule for the exchange of completed fact sheets, as well as more comprehensive case management and scheduling issues.

b. ESI Protocol and Protective Order

Since their last update to the Court, the Parties continued to confer on the ESI Protocol and Protective Order and have reached an agreement regarding both documents. The stipulated ESI Protocol and Protective Order have been filed as letter motions, with each document attached for the Court's review and signature.

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II. Further Status Conferences

The Parties have yet to agree on scheduling of upcoming status conferences, subject to their continuing discussions as set forth above, but will indicate their position(s) on the issue on or before August 12, 2019.

Respectfully submitted,

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